

REMARKS

The Examiner's Office Action of 02/07/2006 has been reviewed. The Examiner's objection to the drawings is noted. It is deemed that the amendment to Claim 1 at line 6, specifically "an inwardly tapering concave side wall of continuously varying concavity" overcomes this objection and that no changes to the drawings are necessary.

The Examiner has identified Claim 7 as free of the art. The subject matter of Claim 7 has been incorporated into its parent Claim 2 which should render this claim allowable to protect the embodiment of Figures 9 and 10. Further Claim 1 has been amended to overcome the objections and rejections based upon indefiniteness which has been done by converting the phrase "such as" to "including" in line 3 and modifying the phrase "continuously varying concavity" to "concave side wall" in line 6. In addition to that, the upper component has been amended to make it clear that the lower extension is adapted to extend into the lower component during operation and use to lower its center of gravity for greater stability. Further, the upper and lower apertures of the lower components are defined as "bounding the passageway through the lower component." This allows for greater stackability of the lower components during shipment and storage. It is deemed such amendments clearly

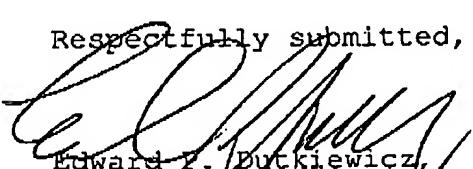
define over the Examiner's previous rejection of Claim 1 based upon Schroeder and Abramowski et al.

Neither Schroeder nor Abramowski et al., whether taken alone or in combination, discloses the lower extension of an upper component adapted to receive beverage for consumption by a user. Further, nothing in the prior art discloses the passageway through the lower component for facilitating stacking.

It would appear that the Examiner has merely gleaned miscellaneous features in the prior art and has attempted to combine them without a teaching for their combination. The only teaching is in applicant's disclosure which, by definition, is not prior art. But even if there were a teaching for the combination, the resulting structure would still fail to anticipate applicant's invention for the reasons set forth herein above.

It is deemed that the amendments herein overcome all grounds of objection and rejection. Reconsideration and a Notice of Allowance are requested.

Respectfully submitted,


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